

Harris
36648-040504



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***APRIL 5, 2004
9:00 A.M.***

***EMERGENCY OPERATIONS CENTER
CONFERENCE ROOM***

AGENDA

Call to Order--Roll Call. (All Council Members were present.)

A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

**Approved (7-0)
File #132**

Items listed on the 2:00 p.m. Council docket requiring discussion/clarification; and additions/deletions to the 2:00 p.m. docket. (15 minutes)

Topics for discussion by the Mayor and Members of Council. (15 minutes)

Council instructed the City Manager to allow entry to the Noel C. Taylor Municipal Building via the Second Street entrance during normal business hours on a trial basis, with a progress report to the Council within 60 days.

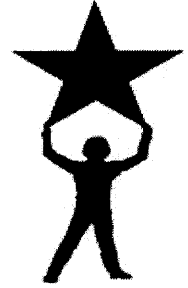
Council requested that the City Attorney prepare the proper measure to be forwarded to appropriate Virginia Department of Transportation officials in support of a project initiated by a citizen to plant trees at various locations along Interstate 581.

Briefings:

- I-581 Enhancement Planning - 20 minutes
- Housing Strategic Plan Update - 20 minutes

THE COUNCIL MEETING WAS DECLARED IN RECESS UNTIL 12:00 P. M., IN ROOM 159.

- **The Budget and Planning Committee met at 10:40 a.m., in Room 159.**
- **The Audit Committee met at 11:00 a.m., in the Council's Conference Room.**



***JOINT MEETING OF ROANOKE CITY COUNCIL
AND THE ROANOKE CITY SCHOOL BOARD***

***APRIL 5, 2004
12:00 NOON***

***EMERGENCY OPERATIONS CENTER
CONFERENCE ROOM***

AGENDA

- 1. Call to Order/Roll Call by School Board.**
- 2. Welcome. Mayor Smith.**
- 3. Invocation.**
- 4. Lunch.**
- 5. Topics for Discussion:**
 - Health insurance stipend for retired teachers
 - Consolidation of City/School processes;
i.e.: purchasing, human resources and health care

6. Closing Remarks.

THE COUNCIL MEETING WAS DECLARED IN RECESS TO BE RECONVENED AT 2:00 P.M., IN THE CITY COUNCIL CHAMBER, FOURTH FLOOR, NOEL C. TAYLOR MUNICIPAL BUILDING.

Harris
36640-031504



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***APRIL 5, 2004
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA

- 1. Call to Order--Roll Call.** All Council Members were present.
(Mr. Fitzpatrick arrived late.)

The Invocation was delivered by The Reverend Richard Mallory, Pastor, Morgans Baptist Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTN Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, April 8, 2004, at 7:00 p.m., and Saturday, April 10, 2004, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGMENTS:

Proclamation declaring the month of April 2004, as Scottish American History and Heritage Month.

File #3

Proclamation declaring the month of April 2004, as Fair Housing Month.

File #3-549

Proclamation declaring the week of April 11 - 17, 2004, as National Public Safety Telecommunicator's Week.

File #3-262

3. CONSENT AGENDA

Approved (6-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 A communication from the City Manager requesting that Council schedule a public hearing for Monday, April 19, 2004, at 7:00 p.m., or as soon thereafter as the matter may be heard, in connection with conveyance of a portion of City-owned property, identified as Official Tax No. 4060502, located adjacent to Roanoke Memorial Hospital for expansion purposes.

RECOMMENDED ACTION: Concur in the request.

File #21-68-166

- C-2 A communication from the City Manager requesting that Council schedule a public hearing for Monday, April 19, 2004, at 7:00 p.m., or as soon thereafter as the matter may be heard, in connection with conveyance of an easement across Jackson Park, identified as Official Tax No. 4130501, to Roanoke Gas Company, to relocate an eight-foot high relief valve from the northern side of Morningside Street, S. E.

RECOMMENDED ACTION: Concur in the request.
File #28-67-458

- C-3 A communication from the City Manager requesting that Council schedule a public hearing for Monday, April 19, 2004, at 7:00 p.m., or as soon thereafter as the matter may be heard, in connection with conveyance of an easement across Franklin Road, S. E., identified as Official Tax No. 4016004, to Cox Communications, Inc., for installation of fiber optic cables, fixtures and appurtenances necessary to provide telecommunications services to a building located at 111 Franklin Road, S. E.

RECOMMENDED ACTION: Concur in the request.
File #28-448

- C-4 A communication from the City Manager requesting that Council schedule a public hearing for Monday, April 19, 2004, at 7:00 p.m., or as soon thereafter as the matter may be heard, in connection with an extension of a lease agreement between the City and the United States General Services Administration to continue to use the second floor of the Commonwealth Building until June 30, 2004.

RECOMMENDED ACTION: Concur in the request.
File #373-524

- C-5 A communication from Harriet S. Lewis tendering her resignation as a member of the Virginia Western Community College Board of Directors.

RECOMMENDED ACTION: Accept resignation and receive and file the communication.
File #110-467

- C-6 A communication from Marion Vaughn-Howard, Superintendent, Youth Services Division, Parks and Recreation Department, advising of the resignations of Cheryl D. Evans, Amy R. Barger and Jamaal Jackson as members of the Youth Services Citizen Board.

RECOMMENDED ACTION: Accept resignations and receive and file the communication.

File #110-304

- C-7 A communication from Joseph F. Lynn tendering his resignation as a member of the Roanoke Redevelopment and Housing Authority, effective March 8, 2004.

RECOMMENDED ACTION: Accept resignation and receive and file the communication.

File #110-178

- C-8 Qualification of the following persons:

Peter W. Clapsaddle as a member of the New Construction Code, Board of Appeals, for a term ending September 30, 2008; and

File #32-110

Talfourd (Fourd) H. Kemper, Jr., as a member of the Roanoke Valley Greenway Commission to fill the unexpired term of Brian Shepard, resigned, ending June 30, 2004.

File #110-379

RECOMMENDED ACTION: Receive and file.

REGULAR AGENDA

Selection of persons to be interviewed for appointment to the Roanoke City School Board, for terms commencing July 1, 2004, and ending June 30, 2007. Interviews will be held on Thursday, April 22, 2004, at 4:30 p.m., in the City Council Chamber. Applicants are:

Dennis M. Binns
Chris H. Craft
Robert R. Craig
David M. Dabay
Roddy L. Hiduskey
Glenda D. Lee
Alvin L. Nash
Samuel Robinson
Linda F. Wright
Linda F. Wyatt

(See Page 16.)

4. PUBLIC HEARINGS: NONE.

5. PETITIONS AND COMMUNICATIONS:

- a. Request of the Roanoke Regional Airport Commission to present the proposed 2004-05 Operating Budget, and proposed capital expenditures. Jacqueline L. Shuck, Executive Director, Spokesperson. (Sponsored by the City Manager)

Adopted Resolution No. 36648-040504. (7-0)
File #9-60

6. REPORTS OF OFFICERS:

- a. CITY MANAGER:

BRIEFINGS:

(Council Member Fitzpatrick entered the meeting.)

1. Affirmative Action and Diversity Initiatives for Calendar Year 2003. (15 minutes)

Receive and file.
File #411

ITEMS RECOMMENDED FOR ACTION:

2. Transfer and appropriation of funds in connection with local incentives for Enterprise Zone Two.

Adopted Budget Ordinance No. 36649-040504. (7-0)
File #60-266

3. Appropriation of \$31,700.00 from *The Roanoke Times* for reimbursement to the City for construction costs in connection with the Salem Avenue Streetscape project.

Adopted Ordinance No. 36650-040504. (7-0)
File #60-227-514

4. Acquisition of certain property rights in connection with Phase II, Police Building Project.

Adopted Budget Ordinance No. 36651-040504, Ordinance No. 36652-040504 and Resolution No. 36653-040504 (7-0)
File #2-5-60

5. Amendment of the City's Fee Compendium to reflect revisions to user fees at Carvins Cove Natural Reserve.

Adopted Resolution No. 36654-040504. (7-0)
File #289

6. Amendment No. 2 to the Asbestos and Lead Abatement Services contract between the City and Waco, Inc., to increase the contract amount by an additional \$75,000.00.

Adopted Ordinance No. 36655-040504. (7-0)
File #288

b. CITY ATTORNEY:

1. Authorization for waiver of the City's sovereign immunity in connection with the use of Valley View Mall on Saturday, April 17, 2004, for Citizens Appreciation Day.

Adopted Resolution No. 36656-040504. (7-0)
File #184-455

c. DIRECTOR OF FINANCE:

1. Financial Report for the month of February 2004.

Receive and file.
File #10

7. REPORTS OF COMMITTEES: NONE.

8. UNFINISHED BUSINESS: NONE.

**9. INTRODUCTION AND CONSIDERATION OF
ORDINANCES AND RESOLUTIONS: NONE.**

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

**Council formally commended the Roanoke Express hockey team upon placing number two in the East Coast Hockey League Division .
File #80-132-346**

**Vice-Mayor Harris requested that the City Manager, in consultation with the Registrar, provide Council with either an oral briefing or a written report, in regard to the new touch screen voting machines which are proposed to be used in the May 4, 2004 local election.
File #40-189**

**Council Member Cutler commended participants from the Appalachian Trail Club, Pathfinders for Greenways, and members of the Roanoke Valley Greenways Commission who volunteered their time to construct a new bridge across the stream at Carvins Cove Natural Reserve.
File #80-468**

- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

11. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

Mr. Chris Craft, 1501 East Gate Avenue, N. E., expressed appreciation to Council Member Bestpitch for recommending that the City Planning Commission study renaming that portion of 13th Street south of Orange Avenue, "Thomas Market Street", in recognition of the contributions of the Thomas family. He advised that a touch screen voting machine is on

display in the Registrar's Office and officers of election will be available at each polling place to assist voters at the local election on May 4. He commended the City Manager for addressing issues of concern to the East Gate community.

File #40-104-189-200

Mr. E. Duane Howard, 508 Walnut Avenue, S. W., advised that inasmuch as the touch screen voting machines have not been tested, the City is encouraged to continue to use regular voting machines in the May 4 local election to avoid any question of error. He expressed concern in regard to a suggestion that was offered at the Council's 9:00 a.m. work session that the Council consider providing a \$1200.00 annual stipend to members of the Architectural Review Board, and called attention to the number of volunteers who serve on City boards and commissions without compensation.

File #40-66-249

Ms. Helen E. Davis, 35 Patton Avenue, N. E., expressed concern in regard to rumors that:

- A four story Social Security Administration building will be located on Henry Street;
- The Harrison Museum of African American Culture will be relocated to the Henry Street area and plans include construction of a building adjacent to the Dumas Hotel; and
- The Orange Avenue YMCA will be closed, and, if so, what is the future status of the building.

File #128-319-391-511

Ms. Evelyn D. Bethel, 35 Patton Avenue, N. E., requested that the public hearing and interviews of School Trustees be conducted in public Council sessions. The Mayor advised that Council will hold a public hearing on Monday, April 19, 2004, at 7:00 p.m., to receive the views of citizens on School Board applicants and public interviews will be conducted on Thursday, April 22, 2004, at 4:30 p.m., in the City Council Chamber.

File #110-467

Mr. Robert E. Gravely, 729 Loudon Avenue, N. W., expressed concern in regard to the use of taxpayers' dollars as incentives for businesses to locate and/or relocate to the City of Roanoke. He called attention to low wages for those employees at the bottom of the City's pay scale, a lack of opportunities for promotion at the lower end of the City's pay scale, and the lack of businesses in the minority community and in the City of Roanoke in general that promote the African American culture.

File #66-184-450

12. CITY MANAGER COMMENTS:

The City Manager presented information prepared by Thomas A. Dick, Legislative Liaison, in connection with various State budget proposals as they relate to the availability of local funds for the City of Roanoke. She called attention to a public forum which will be held on Tuesday, April 6, 2004, at 7:00 p.m., at William Fleming High School, at which time citizen comments will be invited in regard to the lack of a State budget at the present time, and which budget proposals appear to provide the greatest benefit to the Roanoke community. She encouraged those citizens in attendance to urge the City's representatives to the Virginia General Assembly to adopt a two year biennial budget.

The City Manager advised that the City of Roanoke will be recognized as one of America's Most Liveable Communities at an event to be held on Tuesday, April 20, 2004, at the National Press Club in Washington, D. C. She stated that the award is presented to five small cities in the United States by Partners for Liveable Communities, a non-profit organization, in recognition of those communities that are attempting to develop their localities in a creative economy and taking major strides to prepare for the new global economy. She advised that a special celebration will be held in the City of Roanoke following the April 20 presentation.

File #60-80-137

CERTIFICATION OF CLOSED SESSION. (6-0 Council Member Wyatt abstained from voting.)

**Rich G. McGimsey was appointed as a member of the Fair Housing Board for a term ending March 31, 2007.
File #110-178**

**Council voted to extend the deadline for receipt of applications for appointment to the Roanoke City School Board until Monday, April 19, 2004, at 12:00 noon; a public hearing to receive the views of citizens on School Board applicants will be held at 7:00 p.m., on April 19, and following the public hearing Council will select the persons to be accorded the formal interview on Thursday, April 22, at 4:30 p.m., in the City Council Chamber; and Council will elect two Trustees to the Roanoke City School Board at a special meeting to be held on Thursday, May 13, 2004, at 2:00 p.m., in the City Council Chamber.
File #110-467**